

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

IN RE:

CHRISTOPHER LEITCH

Debtor

Case No. 21-11601-KHK  
Chapter 7

**TRUSTEE’S RESPONSE TO MOTION  
TO COMPEL TRUSTEE TO ABANDON PROPERTY**

Janet M. Meiburger, the Chapter 7 Trustee in the above-named case, by her undersigned proposed counsel, hereby responds to the Motion to Compel Trustee to Abandon Property (Docket No. 75) filed on behalf of Silvia L. Leitch (the “Motion”).

1. The Debtor commenced this case by filing a voluntary petition for relief under Chapter 13 of the Bankruptcy Code on September 18, 2021 (the “Petition Date”).

2. On November 22, 2021, a Motion to Compel Trustee to Abandon Property was filed on behalf of Silvia L. Leitch (Docket No. 37). On December 12, 2021, a response to this motion was filed on behalf of the Debtor (Docket No. 49). This motion was not resolved in the Chapter 13 case.

3. The case was converted to Chapter 7 on February 24, 2022 (Docket No. 74). Janet M. Meiburger is the duly qualified and acting Trustee in this case (Docket No. 74). On the same day, the Chapter 13 Motion to Compel Trustee to Abandon Property was removed as moot (Docket No. 79). The Debtor’s Chapter 7 341 meeting is scheduled for March 24, 2022.

---

Janet M. Meiburger, VA Bar No. 31842  
The Meiburger Law Firm, P.C.  
1493 Chain Bridge Road, Suite 201  
McLean, VA 22101  
(703) 556-7871  
Proposed Counsel for Chapter 7 Trustee

4. The current Motion was filed on February 24, 2022. At the same time, a Notice was filed, setting a hearing on the Motion for March 8, 2022 (the “Notice”) (Docket No. 76). The Motion requests that the Court enter an order compelling the Trustee to abandon the real property located at 15310 Maribelle Place, Woodbridge, VA 22193 (the “Property”).

5. There are several procedural deficiencies in the Notice. Federal Rule of Bankruptcy Procedure 6007 requires 14 days’ notice of a motion to compel abandonment. The Notice also provides that responses must be filed within 14 days. However, the March 8<sup>th</sup> hearing date is less than 14 days after the Motion was filed. Therefore, the Motion should be re-noticed for Judge Kindred’s next hearing date, April 19, 2022.

6. In addition, Federal Rule of Bankruptcy Procedure 6007 and Local Rule 6007-1 require that motions to compel abandonment must be served on all creditors and the U.S. Trustee. This has not been done.

7. Moreover, the Notice does not comply with the court’s requirements regarding including remote hearing information in notices of hearing.

8. The Trustee communicated these issues to the attorney who filed the Motion and the Notice, Robert L. Vaughn, but she has not received a response.

9. From a substantive perspective, the 341 meeting has not yet taken place, and the Trustee has not had an opportunity to fully evaluate this case. In addition, the response filed by the Debtor’s counsel makes complex substantive arguments why the Motion should be denied, which the Trustee has not had sufficient time to evaluate.

WHEREFORE, Janet M. Meiburger, Chapter 7 Trustee, by proposed counsel, hereby respectfully requests that the Court continue the hearing on the Motion to Compel Trustee to Abandon Property filed on behalf of Silvia L. Leitch to April 19, 2022; require a new notice of

hearing be sent by the movant's counsel in proper form to all creditors and parties in interest; and grant such other and further relief as the Court deems appropriate under the circumstances.

Respectfully submitted,

THE MEIBURGER LAW FIRM, P.C.

Dated: March 4, 2022

By: /s/ Janet M. Meiburger  
Janet M. Meiburger (VSB No. 31842)  
The Meiburger Law Firm, P.C.  
1493 Chain Bridge Road, Suite 201  
McLean, VA 22101  
(703) 556-7871  
Proposed Counsel for Chapter 7 Trustee

**CERTIFICATE OF SERVICE**

I HEREBY certify that on this 4th day of March, 2022, a true and correct copy of the foregoing Trustee's Response to Motion to Compel Trustee to Abandon Property will be served by ECF e-mail pursuant to the applicable Standing Order of the Court, and by first class mail, postage prepaid and email on the following:

Silvia L. Leitch  
15310 Maribelle Place  
Woodbridge, VA 22193

/s/ Janet M. Meiburger  
\_\_\_\_\_  
Janet M. Meiburger